



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,905	12/03/2003	Dany Sylvain	7000-222A	4182
27820 7590 06/20/2008 WITHROW & TERRANOVA, P.L.L.C. 100 REGENCY FOREST DRIVE SUITE 160 CARY, NC 27518				
EXAMINER ADDY, THUAN KNOWLIN				
ART UNIT		PAPER NUMBER		
2614				
MAIL DATE		DELIVERY MODE		
06/20/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/726,905

**Applicant(s)**

SYLVAIN, DANY

**Examiner**

THJUAN K. ADDY

**Art Unit**

2614

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 4, 6-27, 30, and 32-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 6-27, 30 and 32-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment filed on March 13, 2008 has been entered. No claims have been amended. Claims 2, 3, 5, 28, 29, and 31 have been cancelled. No claims have been added. Claims 1, 4, 6-27, 30, and 32-40 are still pending in this application, with claims 1, 15, 18, and 27 being independent.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 6-27, 30, and 32-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christie, IV (US 6,430,176), in view of Habiby et al. (US Patent Application, Pub. No.: US 2008/0049783 A1).
3. In regards to claims 1, 15, 18, and 27, Christie discloses a method and system for associating multimedia clients (See Fig. 7, User 1 and User 2) with telephony devices (See Fig. 7, terminal devices 300 and 305) (See col. 10 lines 60-63) comprising: receiving from a first telephony device (See Fig. 7 and terminal device 300) having a first telephone number a second telephone number associated with a second telephony device (See Fig. 7 and terminal device 305) to initiate a voice call from the

first telephony device to the second telephony device (See col. 10-11 lines 64-1); obtaining a first address associated with the first multimedia client from a first service node (See Fig. 7 and CO 366) based on the first telephone number; routing call signaling for the voice call to a first call server (See Fig. 7 and gatekeeper 355), which controls a trunk gateway (See Fig. 7 and gateway 345) interfacing with a packet network (See Fig. 7 and public data network 370); and establishing a voice connection for the voice call to the trunk gateway (See col. 11 lines 41-51). Christie, however, does not disclose determining if the first telephony device is associated with a first multimedia client; determining if the second telephony device is supported by the first service node; and if the second telephony device is not supported by the first service node, routing call signaling for the voice call to a first call server, which controls a trunk gateway interfacing with a packet network. Habiby, however, does disclose determining if the first telephony device (e.g., device associated with originating node 12, See Fig. 1) is associated with a first multimedia client; determining if the second telephony device (e.g., device associated with terminating node 14, See Fig. 1) is supported by the first service node (e.g., node 12); and if the second telephony device is not supported by the first service node, routing call signaling for the voice call to a first call server (See Fig. 1 and Gateway Controller 28), which controls a trunk gateway (See Fig. 1 and Gateway 24) interfacing with a packet network (See Fig. 1 and path/bearer channel 34) (See pg. 1, paragraph [0011]; pg. 2, paragraph [0015]; pg. 2, paragraph [0018]; and pg. 2-3, paragraph [0025]). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate these features within the method, as a way

of allowing nodes at the ends of a bearer path within a multimedia packet network to negotiate bearer parameters based on the capabilities of each node, thus facilitating open switching interfaces and reducing the need for provisioning.

4. In regards to claims 4 and 30, Christie discloses the method and system, further comprising routing the call signaling for the voice call to a public switched telephone network (See Fig. 7 and PSTN 365) if the first telephony device is not associated with the first multimedia device (See col. 10 lines 56-60 and col. 11 lines 41-45).

5. In regards to claims 6, 24, 26, and 32, Christie discloses the method and system, further comprising when the second telephony device (See Fig. 7 and terminal device 305) is supported by the first service node (See Fig. 7 and CO 366): determining if the second telephony device is associated with a second multimedia client (See Fig. 7 and User 2); routing the call signaling for the voice call to the first call server when the second telephony device is associated with the second multimedia client; routing the call signaling for the voice call to a public switched telephone network (See Fig. 7 and PSTN 365) if the second telephony device is not associated with the second multimedia device (See col. 10 lines 56-60 and col. 11 lines 41-45).

6. In regard to claims 7, 17, 21, and 33, Christie discloses the method and system, further comprising accessing a local number portability server to determine if the second telephony device is associated with the second multimedia client (See col. 5 lines 40-61).

7. In regards to claims 8 and 23, Christie discloses the method, further comprising: receiving the first telephone number and the first address for the first multimedia client

(See Fig. 7 and User 1) associated with the first telephony device (See Fig. 7 and terminal device 300) at a second call server (See Fig. 7 and gatekeeper 360) supporting the second telephony device (See Fig. 7 and terminal device 305); sending the second telephone number, first address, and first telephone number from the second call server to a second service node (See Fig. 7 and CO 367), which will identify a second address for a second multimedia client (See Fig. 7 and User 2) associated with the second telephony device based on the second telephone number; and sending the first address from the second service node to the second multimedia client using the second address (See col. 11 lines 20-51).

8. In regards to claims 9, 11, and 19, Christie discloses the method, further comprising sending the second address from the second multimedia client to the first multimedia client using the first address, such that either of the first or second multimedia clients can initiate a media session with the other (See col. 3 lines 40-65).

9. In regards to claims 10 and 22, Christie discloses the method, where the second telephone number is associated with a plurality of telephony devices, including the second telephony device, supported by a public branch exchange (PBX) (See Fig. 4, Fig. 5, and PBX 78), the second telephony device having an extension number, the method further comprising: receiving the first telephone number and the first address for the first multimedia client (See Fig. 4 and User 1) associated with the first telephony device (See Fig. 4, telephone 70 and computer 72) at a second call server associated with the PBX; connecting the voice call to an attendant, which will recover the extension number for the second telephony device (See Fig. 4 and terminal device 84); sending

the extension number, first address, and first telephone number from the second call server to a second service node, which will identify a second address for a second multimedia client associated with the second telephony device based on the extension number; and sending the first address from the second service node to the second multimedia client using the second address (See col. 7 lines 18-42).

10. In regards to claims 12, 16, and 20, Christie discloses the method, further comprising establishing a voice connection between the first and second telephony devices (See col. 11 lines 49-51).

11. In regards to claim 13, Christie discloses the method, wherein the second call server (See Fig. 4 and CTI server 74) is integrated with the PBX (See Fig. 4 and PBX 78) (See Fig. 4).

12. In regards to claim 14, Christie discloses the method, wherein the second call server is separate from the PBX (See Fig. 2).

13. In regards to claim 25, Christie discloses the method, further comprising determining if the second telephony device is supported by the first service node and routing call signaling for the voice all to the first call server when the second telephony device is not supported by the first service node (See col. 10-11 lines 64-7).

14. In regards to claims 34, 36, and 37, Christie discloses all of claims 34, 36, and 37 limitations, except the method, wherein the first call server is a SIP call server. Habiby, however, does disclose the method, wherein the first call server is a SIP call server (See pg. 3, paragraph [0026] and pg. 4, paragraph [0034]).

15. In regards to claim 35, Christie discloses all of claim 35 limitations, except the method, wherein the second call server is a SIP call server. Habiby, however, does disclose the method, wherein the second call server is a SIP call server (See pg. 3, paragraph [0026] and pg. 4, paragraph [0034]).

16. In regards to claims 38, 39, and 40, Christie discloses all of claims 38, 39, and 40 limitations, except the method, wherein the receiving step occurs at a telephony switch supporting the first telephony device, and steps (b) - (f) Are performed at least in part by the telephony switch. Habiby, however, does disclose wherein the receiving step occurs at a telephony switch (e.g., switch/call control element) supporting the first telephony device, and steps (b) - (f) are performed at least in part by the telephony switch (See pg. 4, paragraph [0035]).

### ***Response to Arguments***

17. Applicant's arguments with respect to claims 1, 4, 6-27, 30, and 32-40 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bertacchi (US 5,978,681) teaches a method and apparatus for providing calling service features within incompletely upgraded cellular telephone networks. Habiby et al. (US 7,346,076) teach a network controller and method to support format negotiation between interfaces of a network.



Art Unit: 2614

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.
20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/  
Primary Examiner, Art Unit 2614